

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Motion to )  
Suspend of Columbia Gas of Ohio, )  
Inc. for Procedures and Process ) Case No. 20-0637-GA-UNC  
During the Declared State of )  
Emergency and Related Matters. )

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**MEMORANDUM CONTRA  
OF COLUMBIA GAS OF OHIO, INC.**

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Pursuant to Ohio Adm.Code 4901-1-35(B), Columbia Gas of Ohio, Inc. ("Columbia") files this Memorandum Contra to the Application for Rehearing of the Office of the Ohio Consumers' Counsel ("OCC") filed in this docket on July 17, 2020.

Respectfully submitted by,

**COLUMBIA GAS OF OHIO, INC.**

/s/ Joseph M. Clark

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## MEMORANDUM CONTRA

On March 18, 2020, Columbia filed a Motion to Suspend certain provisions of the Ohio Administrative Code, and the corresponding provisions of its tariff. The requested suspension allowed Columbia to avoid otherwise applicable disconnection or reconnection requirements that may have imposed a service continuity hardship on customers or avoid unnecessary social contact between Columbia personnel, Columbia customers, contractors, and the general public. On May 29, 2020, Columbia filed a Transition Plan to transition out of Columbia's rule suspensions filed on March 18, 2020, and May 11, 2020. On June 17, 2020, the Commission granted Columbia's Transition Plan with certain clarifications and guidance.<sup>1</sup> And on July 17, 2020, OCC filed an Application for Rehearing of the June 17, 2020 Finding and Order.<sup>2</sup>

The Commission should deny OCC's Application for Rehearing in its entirety. As a threshold matter, OCC raises nothing new for the Commission's consideration that OCC hasn't already raised, and subsequently been dismissed by the Commission,<sup>3</sup> in its May 8, 2020 Comments,<sup>4</sup> June 8, 2020 Comments,<sup>5</sup> or June 19, 2020 Application for Rehearing.<sup>6</sup> For this reason alone the Commission should deny OCC's Application for Rehearing. The Commission has taken appropriate steps to protect and aid customers during this emergency. Therefore, the Commission should deny OCC's Application for Rehearing.

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<sup>1</sup> *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Finding and Order (June 17, 2020).

<sup>2</sup> *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Application for Rehearing (July 17, 2020) ("Second Application for Rehearing").

<sup>3</sup> The Commission addressed and dismissed OCC's arguments by its May 20, 2020 Finding and Order, June 16, 2020 Finding and Order, and July 15, 2020 Entry on Rehearing, respectively.

<sup>4</sup> *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Comments (May 8, 2020) ("Initial Comments").

<sup>5</sup> *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Comments (June 8, 2020) ("Transition Plan Comments").

<sup>6</sup> *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Application for Rehearing (June 19, 2020) ("First Application for Rehearing").

**1. The Commission should not suspend disconnections for an undefined time after the emergency.**

OCC repeats its rejected proposal for the Commission to suspend disconnections for a reasonable time after the emergency.<sup>7</sup>

The Commission should again reject OCC's proposal. The Commission already approved Columbia's Transition Plan timeframe to begin disconnecting customers with the first billing unit in August 2020.<sup>8</sup> The Commission further found Columbia's Transition Plan regarding disconnections to be reasonable, particularly in light of the advance notice provided to customers as well as extended payment options.<sup>9</sup> The Commission has adeptly shown its ability to exercise its proper authority to help customers during the emergency while also balancing the impacts to Ohio's utilities, including by promptly approving Columbia's Transition Plan. OCC offers no reason for the Commission to change course.

**2. The Commission should reject the OCC's proposal to defer collecting late fees, reconnection fees, and delinquent charges for an undefined time after the emergency.**

OCC again encourages the Commission to require Columbia to defer collecting late fees, reconnection fees, and arrearages throughout the duration of the emergency and for a reasonable time afterwards.<sup>10</sup> The Commission already found Columbia's plan to resume the collection of late fees, reconnection fees, and arrearages to be reasonable, considering Columbia's customers have been offered the option on their bill in July and August to enroll in the one-ninth payment plan.<sup>11</sup>

The Commission should again reject OCC's proposal. Pursuant to the Commission's Order, Columbia is also taking additional steps to advise customers

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<sup>7</sup> Initial Comments at 5-6; Transition Plan Comments at 3; First Application for Rehearing at 4-5; Second Application for Rehearing at 2.

<sup>8</sup> Finding and Order at 9 (June 17, 2020); Entry on Rehearing at 10 (July 15, 2020).

<sup>9</sup> *Id.*

<sup>10</sup> Initial Comments at 7; Transition Plan Comments at 6; First Application for Rehearing at 4-5; Second Application for Rehearing at 3.

<sup>11</sup> Finding and Order at 9 (June 17, 2020); Entry on Rehearing at 9-10 (July 15, 2020).

about deferring certain charges and fees to subsequent bills,<sup>12</sup> offering flexible payment plans, and notifying customers of available energy assistance.<sup>13</sup> OCC has offered no new reasons for the Commission to alter its previous decision. The Commission therefore should again reject OCC's proposal.

**3. The Commission should reject OCC's proposal to suspend compliance with Percentage of Income Payment Plan Plus ("PIPP") eligibility requirements for an undefined time after the emergency.**

OCC again asks the Commission to adopt its rejected proposal for the suspension of compliance with PIPP eligibility requirements for an undefined time after the emergency.<sup>14</sup> OCC takes aim at the Commission's order for PIPP payments between March 12, 2020, and July 28, 2020, to be added to the PIPP or Graduate PIPP customer's arrearage.<sup>15</sup>

Columbia extended its suspension of PIPP requirements to July 28, 2020, and had forgone the collection of any outstanding delinquent charges for all customers, including PIPP participants, prior to a customer being reconnected.<sup>16</sup> The Commission included additional protections for PIPP customers with its June 17, 2020 Finding and Order: allowing PIPP participants the option to not accept weatherization without losing their PIPP program eligibility; extending the time to reverify PIPP income to August 28, 2020; and adding bills between March 12, 2020 through July 28, 2020 to the PIPP or Graduate PIPP customer's arrearage.<sup>17</sup> All of these additional requirements have been implemented by Columbia.

The Commission should reject OCC's request for rehearing. Because Columbia has already implemented the Commission's requirements, a reversal of the Commission's directive would lead to customer confusion after PIPP customers received an August billing statement showing the March through July amounts added to their PIPP arrearage. The Commission has thoughtfully considered and determined the best approach to assist PIPP and Graduate PIPP

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<sup>12</sup> See <https://www.columbiagasohio.com/our-company/news-room/article/bill-concerns-act-now-so-you-can-relax-later> and <https://twitter.com/ColumbiaGasOhio/status/1268190041907572739>.

<sup>13</sup> Finding and Order at 9 (June 17, 2020).

<sup>14</sup> Initial Comments at 7-8; Transition Plan Comments at 3; First Application for Rehearing at 6-7; Second Application for Rehearing at 5.

<sup>15</sup> Second Application for Rehearing at 5.

<sup>16</sup> Finding and Order at 10 (June 17, 2020).

<sup>17</sup> Finding and Order at 12-13 (June 17, 2020).

customers through this unique time.<sup>18</sup> OCC offers no reason for the Commission to change course.

**4. Columbia should not be required to stop its in-home weatherization programs.**

Next, OCC again takes aim at Columbia's weatherization programs.<sup>19</sup> The Commission has repeatedly rejected these arguments.<sup>20</sup> The Commission found that Columbia's plan to resume these programs was reasonable because the plan included appropriate personal protective equipment and precautions.<sup>21</sup> The Commission additionally found that Columbia should work with customers who refuse access to their homes at this time and contact these customers at a later date.<sup>22</sup>

The Commission should again reject OCC's proposal. Pursuant to the Transition Plan, Columbia resumed in-home weatherization work, including its low-income weatherization program, on July 13, 2020.<sup>23</sup> Such weatherization work provides a critical service to Columbia's customers, especially as Ohio heads into autumn and the winter heating season. OCC provides no new reason for the Commission to alter its decision. The Commission already considered and approved Columbia's Transition Plan, which adequately protects consumers during the emergency.<sup>24</sup>

For these reasons, the Commission should deny OCC's Application for Rehearing.

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<sup>18</sup> *Id.*

<sup>19</sup> Transition Plan Comments at 7; First Application for Rehearing at 2; Second Application for Rehearing at 7.

<sup>20</sup> Finding and Order at 6 (June 17, 2020); Entry on Rehearing at 6 (July 15, 2020).

<sup>21</sup> Finding and Order at 6 (June 17, 2020).

<sup>22</sup> *Id.*

<sup>23</sup> *In the Matter of the Motion of Columbia Gas of Ohio, Inc. to Suspend Certain Procedures and Process During the COVID-19 State of Emergency and Related Matters*, Case No. 20-637-GA-UNC, Transition Plan at 4 (May 29, 2020).

<sup>24</sup> Finding and Order at 6 (June 17, 2020).

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document is also being served via electronic mail on the 24th day of July, 2020, upon the parties listed below.

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Summary: Memorandum Contra of Columbia Gas of Ohio, Inc. electronically filed by Ms. Melissa L. Thompson on behalf of Columbia Gas of Ohio, Inc.